



### **Board of Adjustment**

#### **Purpose:**

The Board of Adjustment is a quasi-judicial body which acts as an escape valve from the literal interpretation and enforcement of the Zoning Ordinance(s) by considering individual site requests for relief.

This Board requires that a quorum (4 of the 5 voting members) be present to act upon any variance request. It takes four (4) concurring votes of the members to revise any order, requirement, decision or determination of the Code Enforcement Office or to decide in favor of the applicant on any matter upon which the Board is required to consider or to affect any variance to the zoning ordinance.

Any party or individual disagreeing with the decision of the Board may appeal such decision to a State District Court by filing a petition that sets forth why the decision is illegal, in whole or in part, and specifying the grounds of the illegality.

### **Board of Adjustment**

#### **Duties/Responsibilities:**

The Board of Adjustment acts on variance requests to the zoning ordinances on a case-by-case basis provided:

1. The variance must NOT be contrary to the public interest;
2. Due to special conditions, a literal enforcement of the ordinance must NOT result in unnecessary hardship.
3. Literal interpretation of the zoning ordinance would NOT deprive the applicant of rights commonly enjoyed by others in the same district. Special conditions and circumstances do not result from the actions of the applicant. The hardship cannot be self-created.
4. Granting of the variance will not confer on the applicant any special privilege that is denied by ordinance to others in the same district.

I \_\_\_\_\_ have read and understand the aforementioned purpose and responsibilities of the Board of Adjustment.

Printed Name \_\_\_\_\_ Address \_\_\_\_\_

Signature \_\_\_\_\_

Witness \_\_\_\_\_